

1 HAYES GABLE, III (SBN 60368)

2 Attorney at Law

3 428 J Street, Suite 354

4 Sacramento, CA 95814

5 Telephone: (530) 446-3331

6 Facsimile: (530) 447-2988

7 THOMAS A. PURTELL (SBN 26606)

8 Attorney at Law

9 430 Third Street

10 Woodland, CA 95695

11 Telephone: (530) 662-9140

12 Facsimile: (530) 662-3018

13 Attorneys for Defendant, Marco Antonio Topete

14 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 IN AND FOR THE COUNTY OF YOLO

16 THE PEOPLE OF THE STATE OF
17 CALIFORNIA,

18 Plaintiff,

19 and

20 MARCO ANTONIO TOPETE,

21 Defendant.

Case No. CRF08-3355

NOTICE OF MOTION FOR
CHANGE OF VENUE

Date: May 21, 2010

Time: 8:30 a.m.

Dept: 6

22 TO: THE DISTRICT ATTORNEY OF YOLO COUNTY AND/OR HIS
23 REPRESENTATIVE:

24 PLEASE TAKE NOTICE that the Defendant, Marco Antonio Topete, by
25 and through his attorneys of record, will move the court at the above time

FILED
YOLO SUPERIOR COURT

APR 09 2010

By


Deputy

1 and place for an order transferring the trial of the case to a court in another
2 county.

3 This motion will be made on the ground that there is a reasonable
4 likelihood that a fair and impartial trial of this matter cannot be had in this
5 county. The failure to grant a change of venue would violate State Law
6 (Pen. Code, Sec. 1033(A)) and the defendant's rights to due process, a fair
7 trial and an impartial jury under the Sixth and Fourteenth Amendments to
8 the United States Constitution and under Article I, Section 16 of the
9 California Constitution.
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11 The motion will be based on this Notice of Motion, on the attached
12 Declaration and Memorandum of Points and Authorities served and filed
13 herewith, on such supplemental declarations, memoranda of points and
14 authorities as may hereafter be filed with the court, on all the papers and
15 records on file in this action, and on such oral and documentary evidence
16 as may be presented at the hearing of the motion.
17

18 Dated: 4/9/10

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20 THOMAS A. PURTELL
21 Attorney for Defendant
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